

**MINUTES
INDIANA BOARD OF PODIATRIC MEDICINE
FEBRUARY 12, 2010**

I. CALL TO ORDER

Dr. Coda called the meeting to order at 9:12 a.m. in Room W064 located in the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and established a quorum in accordance with IC § 25-29-2-5.

Members Present:

Vincent Coda, D.P.M., President
Jonathan Norton, D.P.M.
Mark Schlichter, D.P.M.
William K. Oliver, D.P.M.
John M.T. Chavis, II, Consumer Member

Members Absent:

Vacant, Consumer Member

Staff Present:

Valerie L. Jones, Board Director
Ronnie Saunders, Assistant Board Director
Julie Alexander, Deputy Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

OLIVER/SCHLICHTER
Motion carried 4-0-0

III. APPROVAL OF MINUTES FROM NOVEMBER 25, 2009

A motion was made and seconded to approve the minutes, of the November 25, 2009 meeting of the Board.

NORTON/OLIVER
Motion carried 4-0-0

IV. PERSONAL APPEARANCES

A. Jennifer Stevens, DPM Applicant

Dr. Stevens appeared before the Board to discuss a malpractice action that took place 13 years ago. Dr. Stevens described the treatment that led to the malpractice suit from a patient that died under her care.

The Board questioned Dr. Stevens about the patient's medical history as well as the doctor's post operation treatment of the patient.

Dr. Stevens has practiced for 15 years and has not had any other malpractice claims or incidents.

The Board discussed

A motion was made and seconded to approve the licensure application of Dr. Stevens.

SCHLICHTER/OLIVER
Motion carried 4-0-0

B. Kibibi Davidson, DPM Applicant

Dr. Davidson appeared before the board to discuss the positive the positive response on application.

Dr. Davidson answered "yes" to the following question:

"Have you ever been convicted of, pled guilty or *nolo contendere* to any offense, misdemeanor or felony in any state?"

Dr. Davidson discussed the actions that led to her conviction. Dr. Davidson stated that she was sentenced to 70 months in federal prison while in medical school.

Dr. Davidson discussed her academic background and achievements while attending Temple University. She is currently working as an adjunct professor at Temple assisting students with passing the licensure exams. Dr. Davidson further stated that she has come to Indiana for licensure because she has a job opportunity with mobile doctors.

After discussion, a motion was made and seconded to approve the licensure application of Dr. Davidson.

OLIVER/CHAVIS
Motion carried 5-0-0

**C. Bryan E. Hendrix, DPM, License #07000510A
Re: Probationary Personal Appearance**

Dr. Hendrix appeared before the Board as required per the terms of his Probation Order.

The Board questioned Dr. Hendrix about his continuing education and made sure that he was aware that a licensee cannot take all of their continuing education courses online.

No action was required by the Board

V. ADMINISTRATIVE HEARING

A. In the Matter of Robert A. Amazon, DPM License #07000976A Administrative Cause No. 2009 PMC 001 Re: Complaint

Parties and Counsel Present:

Robert A. Amazon, Petitioner
Mark Mader, Deputy Attorney General

Participating Board Members:

Vincent Coda, D.P.M., Hearing Officer
Jonathan Norton, D.P.M.
Mark Schlichter, D.P.M.
William K. Oliver, D.P.M.
John M.T. Chavis, II, Consumer Member

Case Summary: A complaint was filed against Dr. Amazon on July 28, 2009 alleging that he prescribed Ambien to himself and patients for treatment of a primary condition or disease unrelated to the foot.

Dr. Amazon appeared before the board without counsel.

Mr. Mader made an opening statement on behalf of the State of Indiana.

Mr. Mader informed the Board that Dr. Amazon was taking and prescribing Ambien. After discussions with Dr. Amazon, INSPECT reports were ran and Mr. Mader learned that Dr. Amazon is no longer taking or prescribing Ambien and has not for over a year.

Dr. Amazon testified that he was originally prescribed Ambien by his psychiatrist and had prescribed Ambien in New York as a part of his practice. After taking the drug for a year he testified that he was taking more pills than required as a result of memory loss.

When questioned about writing prescriptions to patients, Dr. Amazon testified that he wrote the prescription for Ambien to his girlfriend so that he could get the medication for free and give it to him.

Mr. Mader presented nine (9) exhibits for the Board's consideration. All exhibits were admitted with the noted objection to Exhibit 1 (a copy of a prescription Dr. Amazon wrote to himself at Costco).

Mr. Mader informed the Board that Dr. Amazon's CSR was expired at the time he wrote a prescription for Ambien at Costco.

Dr. Amazon testified on his own behalf that he has suffered from complete memory loss as a result of taking Ambien.

The Board questioned Dr. Amazon about the underlying issues leading to his need for Ambien. Dr. Amazon testified that he became burnt out as a result of his workload.

Dr. Amazon is currently working at his own practice with fewer patients and fewer days.

The Board discussed the testimony and reviewed the complete file.

Board Action: A motion was made and seconded to issue a letter of reprimand.

OLIVER/NORTON
Motion carried 5-0-0

B. In the Matter of Richard O. Lundeen, DPM
License #07000392A
Administrative Cause No. 2006 PMC 0001
Re: Complaint

Parties and Counsel Present:
Mark Mader, Deputy Attorney General

Participating Board Members:
Vincent Coda, D.P.M., Hearing Officer
Jonathan Norton, D.P.M
Mark Schlichter, D.P.M
William K. Oliver, D.P.M
John M.T. Chavis, II, Consumer Member

Case Summary: A complaint was filed against Dr. Lundeen on January 12, 2010 alleging that he was convicted of a crime that has a direct bearing on his ability to practice and that Dr. Lundeen is unfit to practice due to an addiction to, abuse of,

or severe dependency upon alcohol or other drugs endangering the public by impairing his ability to practice safely.

Mr. Mader appeared before the board with a proposed settlement agreement. Dr. Lundeen nor his counsel appeared before the board.

Mr. Mader submitted a proposed settlement agreement to the board with the following terms and conditions:

1. Respondent's Indiana podiatry license shall be revoked and may not apply for a new license for seven (7) years from the effective date of this revocation.

Mr. Mader informed the Board that Dr. Lundeen no longer plans to practice podiatry.

The Board reviewed the file and discussed the settlement proposal.

Board Action: A motion was made and seconded to approve the settlement agreement.

SCHLICHTER/NORTON
Motion carried 5-0-0

**C. In the Matter of Stephen Henry Humphrey, DPM
License #07000890A
Administrative Cause No. 2004 PMC 0002
Re: Complaint**

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Vincent Coda, D.P.M., Hearing Officer

Jonathan Norton, D.P.M

Mark Schlichter, D.P.M

William K. Oliver, D.P.M

John M.T. Chavis, II, Consumer Member

Case Summary:

Dr. Humphrey was revoked by the Ohio medical board. Mr. Mader informed the board

Exhibit 6 was presented and entered into the record.

The board reviewed the file and deliberated

Board Action: A motion was made and seconded to Revoke the license

OLIVER/CHAVIS

5-0-0

VI. OLD/NEW BUSINESS

A. Board Elections

Dr. Coda and Dr. Schlichter were re-elected as chair and vice chair of the Board.

OLIVER/CHAVIS

Motion Carried 5-0-0

B. Meeting Schedule Update

The next board meeting is scheduled for July 30, 2009.

VII. LICENSURE APPLICATION REVIEW

A. Mackenzi Nelson, DPM Applicant

The Board reviewed the application of Mackenzi Nelson. A motion was made and seconded to approved the application and issue a full license.

CHAVIS/OLIVER

Motion carried 5-0-0

B. Karl Fulkert, DPM Applicant

The Board reviewed the application of Karl Fulkert. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/CHAVIS

Motion carried 5-0-0

C. Gage Caudell, DPM Applicant

The Board reviewed the application of Gage Caudell. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/CHAVIS

Motion carried 5-0-0

D. Sarah Phelps, DPM Applicant

The Board reviewed the application of Sarah Phelps. A motion was made and seconded to approve the application and issue a full license.

OLIVER/CHAVIS
Motion carried 5-0-0

E. Sarah Viselli, DPM Applicant

The Board reviewed the application of Karl Fulkert. A motion was made and seconded to approve the application and issue a full license.

NORTON/CHAVIS
Motion carried 5-0-0

VIII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Board of Podiatric Medicine adjourned at 10:41 a.m.

Vincent Coda, D.P.M., President
President, Board of Podiatric Medicine

Date